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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.1528 of 2007

M/s.Amisha Vinyls Pvt. Ltd...Petitioners

Vs.

Union of India & Ors. ..Respondents

Mr.Kunal R. Chaudhari, for the Petitioners
Mr. P.S. Jetley with Mr.R.C.Master for respondents.

CORAM: F.I. REBELLO &
J.P.DEVADHAR,JJ.
DATED: 2ND AUGUST, 2007

P.C.:

. The petitioner has remedy by way of an Appeal. The impugned order dated 20th March,2007 is served on the petitioner on 28th March, 2007. The petition was filed on 17th May, 2007. If the petitioner had preferred an Appeal that would have been within the jurisdiction of the Commissioner (Appeal) to consider condonation of delay. Even otherwise considering the law as explained by this Court the period whereby the petitioners bonafidely prosecuted proceedings can be excluded.

. In the light of that if the petitioner prefers an appeal on or before 8th August, 2007 the Commissioner Appeal to hear the appeal on merits. With the above observations petition disposed of.

(J.P. DEVADHAR, J.) **(F.I.REBELLO, J.)**